



Department  
for Environment  
Food & Rural Affairs



Foreign, Commonwealth  
& Development Office

The Rt Hon the Lord Goldsmith of Richmond Park  
Minister of State

Sir William Cash MP  
Chairman  
European Scrutiny Committee  
14 Tothill Street  
House of Commons  
London  
SW1H 9NB

25 January 2021

Dear Sir William Cash,

**EM COM (2020) 340 PROPOSAL FOR A COUNCIL DECISION ON THE CONCLUSION OF THE VOLUNTARY PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF HONDURAS ON FOREST LAW ENFORCEMENT, GOVERNANCE AND TRADE IN TIMBER PRODUCTS TO THE EUROPEAN UNION**

**COM (2020) 341 PROPOSAL FOR A COUNCIL DECISION ON THE SIGNING, ON BEHALF OF THE UNION, OF THE VOLUNTARY PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF HONDURAS ON FOREST LAW ENFORCEMENT, GOVERNANCE AND TRADE IN TIMBER PRODUCTS TO THE EUROPEAN UNION**

Following on from my letter dated 30 September 2020 I thought it would be timely to provide an update on the matter of forest law enforcement, governance and trade (FLEGT) and the associated Voluntary Partnership Agreements, including in respect of their application to Northern Ireland, following the end of transition period.

Since I last wrote on 30 September 2020 the Timber and Timber Products and FLEGT (Amendment) (EU Exit) Regulations 2020 No. 1315 have been successfully made ([www.legislation.gov.uk/id/uksi/2020/1315](http://www.legislation.gov.uk/id/uksi/2020/1315)). This instrument ensures the UK Timber Regulation and UK FLEGT Regulation (that tackle illegal logging and ensure the demand for, and supply of, legally harvested timber) are operable in relation to the Northern Ireland Protocol. This is achieved by substituting, in several instances, “the Community” and “the United Kingdom”, with “Great Britain”.

One of the exceptions where “the United Kingdom” is retained relates to VPAs. The UK reference is necessary because a partnership agreement is a treaty, and only the UK may enter into treaties with other states. This means that while EU law will apply direct in Northern Ireland, the implementation of the FLEGT licensing scheme in Northern Ireland will take place under the auspices of the UK’s VPAs with timber-producing countries. We have given effect to this under the UK-Indonesia VPA which provisionally entered into force on 5 January (it remains subject to formal ratification by the Indonesian Parliament). The FLEGT Licensing Scheme (Council Regulation (EC) No 2173/2005) (Amendment) Regulations 2021 ([www.legislation.gov.uk/uksi/2021/2](http://www.legislation.gov.uk/uksi/2021/2)), laid on 4 January 2021, listed Indonesia as a

Partner Country in the main FLEGT licensing regulations thus allowing the VPA to be provisionally applied. Since the terms of both the EU's and UK's VPAs are the same, licences issued under the UK VPA are de facto issued in accordance with the terms of the EU VPA.

The UK-EU Trade and Co-operation Agreement provides for continued co-operation on trade-related aspects of sustainable forest management, the conservation of forest cover and illegal logging, and we will work to ensure the smooth operation of the FLEGT system in relation to Northern Ireland following the end of the transition period.

I am copying this letter to the Earl of Kinnoull, Chairman of the European Union Committee. I am also copying this letter to the Clerks of the Commons and Lords Committees, Jessica Mulley and Chris Johnson respectively; Les Saunders, Cabinet Office; and Steve Wigham, Defra Scrutiny Co-ordinator.

With best wishes,



**THE RT HON THE LORD GOLDSMITH OF RICHMOND PARK**